United Nations A/AC.247/2008/L.1/Rev.1

General Assembly

Distr.: Limited
9 September 2008

Original: English

Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council

Draft report submitted by the Chairperson

I. Introduction

1. By its resolution 48/26, the General Assembly decided to establish an open-ended working group to consider all aspects of the question of increase in the membership of the Security Council and other matters related to the Council.

2. The Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council began its deliberations in January 1994. The Working Group submitted progress reports to the General Assembly at its forty-eighth to sixty-first sessions. At those sessions, the Assembly extended the mandate of the Working Group.

3. On 23 November 1998, the General Assembly adopted resolution 53/30 in connection with the agenda item of the Working Group entitled "Majority required for taking decisions on Security Council reform".

4. In the United Nations Millennium Declaration, Heads of State and Government resolved, with respect to the ongoing deliberations on Security Council reform, to intensify their efforts to achieve comprehensive reform of the Council in all its aspects (see General Assembly resolution 55/2, para. 30).

5. In the 2005 World Summit Outcome of 16 September 2005, Heads of State and Government expressed support for early reform of the Security Council and recommended that the Council continue to adapt its working methods (see General Assembly resolution 60/1, paras. 153 and 154).

6. Following the deliberations of the Working Group, the General Assembly, by its decision 61/561, decided that the Working Group should continue its work and should submit a report to the Assembly before the end of its sixty-second session, including any agreed recommendations. The Assembly also decided to consider the issue of Security Council reform, including through intergovernmental negotiations. The present report is submitted pursuant to decision 61/561.

08-49957 (E) 090908

II. Sixty-second session of the General Assembly

7. During the general debate of the General Assembly at its sixty-second session, held from 25 September to 3 October 2007, many Heads of State and Government and other high-level representatives of Member States expressed the views of their Governments on the reform of the Security Council.

8. Member States also expressed their views on the reform of the Council when the General Assembly discussed the item entitled "Question of equitable representation on and increase in the membership of the Security Council and related matters" (agenda item 122) from 12 to 14 November 2007 (see A/62/PV.47-51). Member States expressed their views on various options to bring the process forward and also encouraged the President of the General Assembly to take leadership in this regard. In his concluding remarks on the item, the President presented seven principles to serve as guiding principles for the advancement of the process of Security Council reform (A/62/PV.51).

III. Proceedings of the Open-ended Working Group during the sixty-second session of the General Assembly

A. Organizational matters

9. The President of the General Assembly, Srgjan Kerim, served as Chairperson of the Working Group.

10. On 14 December 2007, the Chairperson appointed Ambassador Ismat Jahan (Bangladesh), Ambassador Heraldo Muñoz (Chile) and Ambassador João M. Guerra Salgueiro (Portugal), as members of the task force established by the Chairperson, to interact with all Member States and to report back to the Chairperson on the outcome of their consultations.

11. On 10 April 2008, the Chairperson also appointed Ambassador Roble Olhaye (Djibouti), as a member of the task force.

B. Meetings, informal meetings and consultations of the Working Group

12. In his letter dated 6 December 2007, the President of the General Assembly invited Member States to focus their interventions on identifying concrete elements of negotiables that could form the basis for intergovernmental negotiations, having in mind in particular the report of Open-ended Working Group to the Assembly at its sixty-first session[1] and the positions and proposals of Member States.

13. At its 1st and 2nd meetings, on 14 December 2007, the Chairperson announced the appointment of the task force. Pursuant to those meetings, Member States were invited to identify negotiables that could serve as a basis for intergovernmental negotiations.

---

[1] *Official Records of the General Assembly, Sixty-first Session, Supplement No. 47* (A/61/47).

14. In his letter dated 3 April 2008, the Chairperson of the Open-ended Working Group forwarded to Member States the replies he had received in writing, reflecting various elements of the negotiables as well as views on the process and the way forward from delegations, as well as regional and interest groups: the Group of African States, the Organization of the Islamic Conference, the Overarching Group and Uniting for Consensus.[2]

15. At its 3rd and 4th meetings, on 10 April 2008, Member States discussed various elements contained in the written contributions, reaffirmed the leadership of the Chairperson acting together with the task force. The Chairperson announced that under his leadership the task force would engage in extensive consultations with Member States in order to assess the current situation and to identify options in order to move forward with the reform of the Security Council.

16. The task force consulted extensively in an objective, transparent and all-inclusive manner with all Member States in various formats, through their regional groups, interest groups or individually, from the end of April to the beginning of June 2008. As a result of those consultations, on 9 June 2008 the task force submitted to the Chairperson a report entitled "Report of the Vice-Chairpersons to the President of the General Assembly on the question of equitable representation on and increase in the membership of the Security Council".

17. In his letter dated 11 June 2008, the Chairperson of the Open-ended Working Group forwarded to Member States the above report (see annex II).

18. In his letter dated 13 June 2008, the Chairperson of the Open-ended Working Group forwarded the letter of the Chairperson of the League of Arab States containing a request for its position to be considered on an equal footing with the other written inputs provided so far, as well as the original positions concerning the issue of the Security Council reform.[2]

19. At its 5th and 6th meetings, on 17 June 2008, Member States discussed the report. In his concluding remarks, the Chairperson called on Member States to cooperate closely in order to bring about an agreement on the adoption of a decision to move the process forward to the stage of commencing intergovernmental negotiations.

20. At its 9th meeting, on 10 September 2008, the Working Group considered its draft report to the General Assembly (A/AC.247/2008/L.1/Rev.1), submitted by the Chairperson.

C. Adoption of the report of the Working Group

21. At its [...] meeting, on [...] 2008, the Working Group considered and adopted the present report.

[2] To be issued as an addendum to the present report.

IV. Recommendations

22. The Open-ended Working Group decided to recommend that consideration of the item be continued at the sixty-third session of the General Assembly. The Working Group, recalling Assembly decision 61/561 and the progress made during the sixty-second session, recommended to the Assembly the adoption of the following draft decision:

"The General Assembly, recalling its previous resolutions and decisions relevant to the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council,

"Mindful of Chapter XVIII of the Charter of the United Nations and of the importance of reaching general agreement as referred to in its resolutions 48/26 of 3 December 1993 and 53/30 of 1 December 1998 on the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Council,

"Taking note of the seven principles presented by the President of the General Assembly to serve as guiding principles for the advancement of Security Council reform:[1]

"(a) Acknowledges the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council on its work during the sixty-second session of the General Assembly;[2]

---

[1] See A/62/PV.51.

[2] To be issued as *Official Records of the General Assembly, Sixty-second Session, Supplement No. 47* (A/62/47).

"(b) Notes with appreciation the Chairperson's initiative and efforts in the process of a comprehensive reform of the Security Council, as well as the work done by the Vice-Chairpersons;

"(c) Decides, building on the progress achieved so far, in particular during its sixty-first and sixty-second sessions, as well as the positions of and proposals made by Member States, to commence intergovernmental negotiations by the end of October 2008, in good faith, with mutual respect and in an open, inclusive and transparent manner, on the question of equitable representation and increase in the membership of the Security Council and other matters related to the Council, with the objective of seeking a compromise solution, in the General Assembly that can garner the widest possible political acceptance by the membership, well above the required majority, bearing in mind resolutions 48/26, 53/30 and decision 61/561 of 17 September 2007, as well as the ratification process of any amendment to the Charter of the United Nations, as stipulated in its Article 108; and in this context decides, at the outset, to address the framework and modalities of the intergovernmental negotiations;

"(d) Also decides that the following form basis elements for the intergovernmental negotiations:

(i) The positions and proposals of Member States, regional groups and other groupings of Member States;

(ii) The negotiables referred to in the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council on its work during the sixty-first session of the General Assembly;[3]

(iii) The following documents: report of the Open-ended Working Group on its work during the sixty-first session of the General Assembly;[3] General Assembly decision 61/561; and the report of the Open-ended Working Group on its work during the sixty-second session of the General Assembly;[2]

---

[3] *Official Records of the General Assembly, Sixty-first Session, Supplement No. 47* (A/61/47).

"(e) Further decides that the Working Group should continue to exert efforts during the sixty-third session of the General Assembly aimed at achieving general agreement among Member States in the consideration of all issues relevant to the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Council, taking into account the progress achieved from the forty-eighth to sixty-second sessions of the Assembly;

"(f) Decides that the Working Group should submit a report to the General Assembly before the end of its sixty-third session, including any agreed recommendations."

Annex

Letter dated 11 June 2008 from the President of the General Assembly to all Permanent Missions and Permanent Observer Missions to the United Nations forwarding the report of the Vice-Chairpersons to the President of the General Assembly on the question of equitable representation on and increase in the membership of the Security Council

Please find enclosed the document entitled "Report of the Vice-Chairpersons to the President of the General Assembly on the Question of Equitable Representation on and Increase in the Membership of the Security Council", which was submitted to me on 9 June 2008.

I wish to take the opportunity to thank the four Vice-Chairpersons for their extensive consultations with Member States and for outlining the current situation and the options to move forward with the reform of the Security Council.

I would also like to inform you that I will convene the third session of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council on Tuesday, 17 June 2008, at 10 a.m. and 3 p.m., in the Economic and Social Council Chamber. I would appreciate hearing your comments and discussing next steps on Security Council reform.

(*Signed*) Srgjan **Kerim**

Report of the Vice-Chairpersons to the President of the General Assembly on the question of equitable representation on and increase in the membership of the Security Council

I. Introduction

1. Since the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters held its last session, in April 2008, the four Vice-Chairpersons of the task force designated by the President of the General Assembly have consulted extensively with the membership. The purpose was to reach out to all Member States, through their regional groups, major interest groups or individually, and to listen to their recommendations on how to move forward at this stage of the process of Security Council reform.

2. Many Member States have reaffirmed their original positions, while some have evolved or refined their stands, including through public statements at the highest political levels (see sect. III below). All have expressed their disposition to enter into intergovernmental negotiations, some expressing the view that their preferred positions could lead to compromise options, but as an outcome of the eventual negotiations.

3. In general terms, there continues to be a common understanding that the Security Council in its current composition does not reflect international reality and thus needs to be adequately rebalanced. The status quo with regard to the composition of the Security Council is at present judged to be unrealistic. Both the expansion of the Council and the reform of its working methods are seen as important to the wide membership of the Organization. In addition, reform of the Council is considered to be an integral part of the overall United Nations reform process.

II. Framework and modalities

4. Numerous Member States have expressed their desire to clarify the framework and the modalities that would guide the eventual process of intergovernmental negotiations; that is, there is a demand by some to clarify the rules of the eventual negotiations.

5. In accordance with General Assembly resolution 48/26, the Open-ended Working Group is the forum for the consideration of all issues pertaining to Security Council reform, including the identification of the negotiables in order to move forward to intergovernmental negotiations. In its decision 61/561, the Assembly urged the Working Group to exert efforts during the sixty-second session "aimed at achieving general agreement among Member States in the consideration of all issues relevant to the question" of Security Council reform. Whether "general agreement" on this matter is achieved or not, the General Assembly, being a sovereign body, may decide at some point to shift the consideration of the reform process to the plenary meetings of the Assembly. It is understood that any decision on Security Council reform should be taken by the Assembly.

6. As far as the modalities are concerned, Member States have insisted upon and agreed that consultations and eventual intergovernmental negotiations should be conducted in an open, transparent and inclusive manner. Such an approach may take the form of further sessions of the Open-ended Working Group, consultations with regional groups and major interest groups and in other informal settings on the understanding that any decision on the matter must involve the entire membership of the General Assembly.

7. The seven principles or pillars proposed by the President of the General Assembly, and widely accepted by Member States, also constitute an integral part of the framework and modalities. While understanding that the seven pillars constitute an integrated whole, for procedural purposes, principles three and four, which state, respectively, that "the way forward ought to be accomplished through an objective and transparent process to first identify the negotiables in order to then move to the intergovernmental negotiations", and that "the Open-ended Working Group should carry out consultations on the framework and the modalities for intergovernmental negotiations", should be recalled. The present paper seeks to advance decisively in this sense.

III. The present state of play

8. After intense rounds of consultations, the task force has concluded that none of the written contributions offered thus far have gathered sufficient support as a basis for launching intergovernmental negotiations. Despite the apparent progress perceived in the reports of the facilitators to the sixty-first session of the General Assembly (A/61/47, annexes I and II), it should be recalled that the Assembly, in paragraph (d) of its decision 61/561, adopted by consensus, stated that "further concrete results may be achieved, including through intergovernmental negotiations, building on the progress achieved so far, particularly at the sixty-first session, as well as the positions of and proposals made by Member States". Positions among major interest groups have not moved significantly, despite stated expressions of disposition to act with flexibility and a general recognition that Security Council reform would necessarily require compromise.

A. Original positions

9. The following options, in summary format, have been presented by regional groups and major interest groups.

African Group (A/60/L.41)

10. Enlarge the Security Council in both the permanent and non-permanent categories and improve its working methods. Grant Africa two permanent seats, including the right of veto, and five non-permanent seats, thus increasing Security Council membership from 15 to 26, with the 11 additional seats to be distributed as follows: (a) two permanent seats and two non-permanent seats for African States; (b) two permanent seats and one non-permanent seat for Asian States; (c) one non-permanent seat for Eastern European States; (d) one permanent seat and one non-permanent seat for Latin American and Caribbean States; and (e) one permanent seat for Western European and other States.

Group of Four (A/59/L.64)

11. Increase the membership of the Security Council from 15 to 25 by adding six permanent and four non-permanent members and improve the working methods of the Security Council. The six new permanent members of the Council shall be elected according to the following pattern: (a) two from African States; (b) two from Asian States; (c) one from Latin American and the Caribbean States; (d) one from Western European and Other States.

12. The four new non-permanent members of the Security Council would be elected according to the following pattern: (a) one from African States; (b) one from Asian States; (c) one from Eastern European States; (d) one from Latin American and Caribbean States. The new permanent members would not exercise the right of veto until the question of the extension of the right of veto to new permanent members has been decided upon the framework of a review conference.

Uniting for consensus (A/59/L.68)

13. The Security Council would be expanded to 25 members, including the present five permanent members of the Security Council. The 20 non-permanent members of the Security Council would be elected according to the following pattern: (a) six from African States; (b) five from Asian States; (c) four from Latin American and Caribbean States; (d) three from Western European and other States; (e) two from Eastern European States.

14. Each of the five existing geographical groups, as identified above, would decide on arrangements among its members for immediate re-election or rotation of its members on the seats allotted to the Group; those arrangements would also address, as appropriate, a fair subregional representation and would also improve the working methods of the Council.

Small Five States (A/60/L.49)

15. Focused on working methods of the Security Council, this proposal invites the Council to consider the following measures to further enhance the accountability, transparency and inclusiveness of its work, with a view to strengthening its legitimacy and effectiveness:

(a) More substantive exchanges of views among Security Council, the General Assembly and the Economic and Social Council;

(b) The Security Council should explore ways to assess the extent to which its decisions have been implemented;

(c) The subsidiary bodies of the Security Council should include in their work, on a case-by-case basis, non-members with strong interest and relevant expertise;

(d) A permanent member of the Security Council using its veto should explain the reason for doing so;

(e) The Security Council should ensure that all Member States are fully and promptly informed of all developments regarding its missions;

(f) In order to facilitate the integration of newly elected members of the Security Council, the Secretariat should prepare and disseminate a detailed briefing packet on the procedures, practices and work of the Council.

Transitional approach

16. Under the present state of affairs, Member States, while retaining their initial positions, may wish to explore new and emerging ideas concerning a transitional approach to Security Council reform. A transitional approach assumes an intermediary arrangement and should have as an integral component a mandatory review to take place at a predetermined date. Within the transitional approach there are different options and variations that Member States could further explore.

17. As regards categories, the transitional approach, without prejudice to the prospect of creating new permanent seats, could explore the creation of new non-permanent seats as well as an intermediate category. Member States may wish to consider, inter alia, the following variations of an intermediate category;

(a) Extended seats that could be allocated for the full duration of the intermediary arrangement, including the possibility of recall;

(b) Extended seats, which would be for a longer period than the regular two-year term, but with the possibility of re-election. The length of the terms as well as the re-election modalities should be decided in negotiations;

(c) Extended seats, which would be for a longer period than the regular two-year term, but without the possibility of re-election. The length of the term should be decided in negotiations;

(d) Non-permanent two-year seats with the possibility of immediate re-election.

B. New inputs and reaffirmed views

Uniting for consensus
(5 March 2008)

- Uniting for consensus welcomes the seven principles of the President of the General Assembly and "well-considered efforts to launch an effective 'joint venture' of all Member States in order to advance the process aiming at a Security Council reform".
- It proposes to "reach general agreement on an 'intermediate' solution to Security Council reform on the basis of the variations outlined in paragraph 9 of the report of the five facilitators at the sixty-first session of the General Assembly, and encompassing both the enlargement and working methods of the Council, without prejudice to the declared positions of all States/Groups".
- For the next steps: identify "negotiables" and elaborate a paper to serve as a basis for intergovernmental negotiations.

African Group
(Letter by the Chairman, 20 March 2008)

- Supports the efforts of the President of the General Assembly within the context of the Open-ended Working Group and welcomes the seven principles laid out by the President.
- Following the decision of the Assembly of the African Union (31 January-2 February 2008) Permanent Representatives in New York have been directed "to participate in the intergovernmental negotiations on the basis of Ezulwini Consensus and Sirte Declaration".
- Continued readiness to work and cooperate with the President of the General Assembly, addressing both the framework and modalities, which "could lead to intergovernmental negotiations that take into account the positions and aspirations of various stakeholders and lead to the widest possible agreement".

Organization of the Islamic Conference
(Final communiqué of the Eleventh Session of the Islamic Summit Conference, 13-14 March 2008)

- The Conference reaffirmed its decision that any reform proposal which neglects the adequate representation of the Muslim Ummah in any category of membership in an expanded United Nations Security Council will not be acceptable to the Muslim world.
- The Conference requested the open-ended contact group of the Organization of the Islamic Conference on United Nations reform and expansion of the Security Council at the United Nations Headquarters in New York to continue to closely coordinate the positions of its Member States in order to promote the comprehensive reform of the Security Council and ensure the equitable representation of those countries in any categories of the enlarged Security Council in proportion to their membership of the United Nations.
- The efforts at restructuring the Security Council should not be subjected to any artificial deadline and a decision on this issue should be made by consensus.

Draft presented by the Permanent Representative of Cyprus
(20 March 2008)

- Aims at giving a sense of direction for the future, on the basis of the reports of the facilitators and other progress achieved during the sixty-first session of the General Assembly.
- "While the legitimate positions officially tabled in 2005 are retained by their proponents, their lack of potential realization at this juncture has pointed to an apparent willingness to negotiate on the basis of achieving intermediate reform through the identification of the highest common denominator at this stage."
- For the purpose of achieving such intermediate reform, the scope of the negotiations would be narrower, focusing on points of convergence in the short-term rather than divisive elements.
- The Security Council shall be enlarged to [22] members with different options of distribution of seats and categories.

- "The election of Member States in all new seats will be subject to regular election procedures by two-thirds majority at the General Assembly in accordance with Article 18 of the Charter of the United Nations."
- "Reform should include mandatory review after a fixed period of time, the exact duration of which must be determined before the reform comes into force and will form an integral part of the reform package."
- In addition to the enlargement, the General Assembly could simultaneously recommend concrete improvements of Security Council working methods, including those contained in document S/2006/507.

Joint Summit declaration of the United Kingdom of Great Britain and Northern Ireland and France
(27 March 2008)

- The United Kingdom of Great Britain and Northern Ireland and France will act to reform the United Nations Security Council, which has primary responsibility for maintenance of international peace and security. In the same spirit of adapting institutions to the new realities of the world, the Security Council should be reformed to ensure that it better represents the world of today, while remaining capable to taking the effective action necessary to confront today's security challenges.
- Reform of the Security Council, both its enlargement and the improvement of its working methods, must therefore succeed. Reaffirm the support for the candidacies of Germany, Brazil, India and Japan for permanent membership, as well as for permanent representation for Africa on the Council.
- The United Kingdom and France regret that negotiations towards this goal remain in deadlock and are therefore ready to consider an intermediate solution. This could include a new category of seats, with a longer term than those of elected members and those terms would be renewable at the end of an initial phase, it could be decided to turn these new types of seats into permanent ones.
- The United Kingdom and France will work with all their partners to define parameters of such a reform.
- Security Council reform requires a political commitment from the Member States at the highest level. The United Kingdom and France will work in this direction in the coming months with a view to achieving effective reform.

Other perspectives of the permanent five members

18. Despite a diversity of views among permanent-five member States regarding Security Council reform, there are some common elements that have been repeated to the task force or that have been expressed by high-level officials of their respective Governments.

19. All five permanent members have stated that the formula for increased membership of the Security Council should be based on a wide agreement and should not be divisive. China stresses the notion that any reform on the Council must be based on a "serious compromise". Likewise, the President of the Russian Federation, Dmitry Medvedev, stated recently: "The United Nations Security

Council needs to be reformed on the basis of broad consensus between the United Nations member countries. We value Germany's commitment to looking for compromise solutions in this respect that would not cause division within the organization" (Berlin, 5 June 2008). In the view of the United States, "no significant portion of the membership [should be] alienated by the result of [Security Council reform]" (statement by the United States Deputy Permanent Representative, Open-ended Working Group, 10 April 2008). Several members of the permanent five believe that the Open-ended Working Group is the appropriate forum to discuss the topics related to Security Council reform.

20. China supports greater participation by small and developing countries in an enlarged Security Council. Some permanent members have insisted that Security Council expansion must be realistic or "modest" as regards size. According to the United States, "only a modest expansion will ensure the Council's continued effectiveness" (10 April 2008). Some permanent members have underlined the importance of the qualifications contained in Article 23, paragraph 1, of the Charter of the United Nations for countries wishing to become members of the Council. The United States believes that "candidates for the longer-duration, whether intermediate seats or permanent members, must demonstrate a higher level of global leadership"; at the same time, it has insisted that any reform of the Council must be accompanied by increased effectiveness of the entire United Nations system.

21. Some permanent members feel strongly that working methods of the Security Council is a matter that should be addressed by the Council itself, as a principal organ of the United Nations, and permanent members have reaffirmed their opposition to any Security Council reform that would "tamper" with the veto right of the permanent members of the Council.

IV. No reform option

22. It should be recalled that deliberations aiming to reform the Security Council began in January 1994 and that, although the Working Group has made progress, particularly during its sixty-first session, positions as summarized above remain far apart. Moreover, a sense of frustration surrounds the negotiations at present stage.

23. We could eventually conclude, therefore, that there is simply not sufficient common ground to move the process forward towards fruitful intergovernmental negotiations. Member States should keep in mind that the present deadlock could culminate, in practical terms, in an indefinite postponement of the Security Council reform effort (even though the Open-ended Working Group might continue to meet).

24. Moving the process forward would require political willingness to compromise by engaging in intergovernmental negotiations based on sufficient elements to seek an agreed solution as the outcome.

V. Shifting the paradigm

25. Recent consultations have shown that the main source of disagreement has centred on the category of seats. There are a number of Member States, as described above, which assert that an expanded Security Council should include new permanent members, accompanied by new non-permanent members, while others

argue that the Council should be expanded solely through new non-permanent seats, eventually renewable.

26. Such a polarized discussion led, during the facilitation process in the sixty-first session of the General Assembly, to the suggestion that Member States might wish to consider a transitional or intermediary approach, including the creation of extended seats of various durations as a compromise option. However, many Member States have argued that such option could be the eventual outcome of an intergovernmental negotiation.

27. Instead of continuing along this track, Member States may wish to approach eventual negotiations from a timeline perspective; that is, to identify what may be achievable in the short term, during the remaining part of the sixty-second session, or during the sixty-third session, and what would be left could be revisited in a number of years through a mandatory review (in 10, 12 or 15 years, for example). Hence, no preferred position would be excluded a priori, no Member State or group would be obliged to forgo its position from the outset, but, with a sense of compromise, an effort would be made to negotiate reform that would be achievable at the earliest possible date. That solution would keep avenues open to all preferred options to be reconsidered at an agreed moment in the future.

28. Thus, Member States may wish to address which of the negotiables, basically the five key issues: categories of membership, the question of the veto, the question of regional representation, the size of an enlarged Council, and the working methods of the Security Council and the relationship between the Council and the General Assembly, may be fully or partially resolved in a short timespan or may have to be postponed for the mandatory review. For example, if an impasse should arise on the delicate question of the extension of veto in the short-term negotiations, it would be reasonable to refer it to the review. A meaningful review would seem to require an intervening period of between 10 to 15 years to allow for ratification and evaluation. At that time, the membership should be able to evaluate the Council's performance against the backdrop of structural trends in peace and security. The single defining characteristic of the timeline approach is the scheduling of a mandatory review, where the achievable arrangement would be evaluated and could be reshaped into a more permanent one, in the light of past experience.

VI. Towards intergovernmental negotiations

29. Security Council reform is at a crossroads. In order to move forward, compromise is needed — and the clock is running. The present report has outlined the negotiables and options that Member States may wish to consider with a view to intergovernmental negotiations.

30. We are convinced that a "big bang", an all-encompassing solution, is not possible, and that only a realistic approach that allows agreement on what is achievable in the near term, without excluding any preferred option to be revisited at an agreed time through a mandatory review, is the way to move forward.

31. It should be noticed that despite differences, Member States agree on a number of issues. For example, all Member States and interest groups have favoured an improvement in the working methods of the Security Council (if Member States were to agree on the launching of intergovernmental negotiations, they could use as

a basis the working methods section of the report of the facilitators of 19 April 2007). Member States also seem to agree that Security Council expansion should contemplate additional non-permanent seats, in accordance with Article 23, paragraph 2, of the Charter, in particular to accommodate the needs of small States (while it has also been suggested, through the Forum of Small States, that a provision should be considered which would prevent countries from presenting candidatures for both the new category, assuming a transitional approach, and the existing non-permanent category at the same time or in short intervals). Lastly, in order to contribute to moving the process forward, in the following appendix we have listed specific options on the category of seats, as well as their distribution, and the size of an enlarged Council, which Member States may want to consider.

Appendix

Since differences remain on the category of seats and the size of an expanded Security Council, Member States may wish to consider the following options:

1. Twenty-two Members — of the seven new seats:

   - Two [extended or permanent] seats will be allocated to Member States of the African Group.
   - Two [extended or permanent] seats will be allocated to Member States of the Asian Group.
   - One [extended or permanent] seat will be allocated to Member States of the Latin American and Caribbean Group.
   - One [extended or permanent] seat will be allocated to Member States of the Western European and Others Group, and
   - One non-permanent seat will be allocated to member States of the Eastern European Group [and, on a rotating basis, to the Latin American and Caribbean Group].

2. Twenty-three Members — of the eight new seats:

   - Two [extended or permanent] seats will be allocated to Member States of the African Group.
   - Two [extended or permanent] seats will be allocated to Member States of the Asian Group.
   - One [extended or permanent] seat will be allocated to Member States of the Latin American and Caribbean Group.
   - One [extended or permanent] seat will be allocated to Member States of the Western European and Others Group.
   - One non-permanent seat will be allocated to Member States of the Eastern European Group [and, on a rotating basis, to the Latin American and Caribbean Group].
   - One non-permanent seat will be allocated to Member States of the African Group.

3. Twenty-four Members — of the nine new seats:

   - Two [extended or permanent] seats will be allocated to Member States of the African Group.
   - Two [extended or permanent] seats will be allocated to Member States of the Asian Group.
   - One [extended or permanent] seat will be allocated to Member States of the Latin American and Caribbean Group.
   - One [extended or permanent] seat will be allocated to Member States of the Western European and Others Group.

- One non-permanent seat will be allocated to Member States of the Eastern European Group [and, on a rotating basis, to the Latin American and Caribbean Group].
- One non-permanent seat will be allocated to Member States of the African Group.
- One non-permanent seat will be allocated to Member States of the Asian Group.

4. Twenty-five Members — of the 10 new seats:

- Two [extended or permanent] seats will be allocated to Member States of the African Group.
- Two [extended or permanent] seats will be allocated to Member States of the Asian Group.
- One [extended or permanent] seat will be allocated to Member States of the Latin American and Caribbean Group.
- One [extended or permanent] seat will be allocated to Member States of the Western European and Others Group.
- One non-permanent seat will be allocated to Member States of the Eastern European Group.
- One non-permanent seat will be allocated to Member States of the African Group.
- One non-permanent seat will be allocated to Member States of the Asian Group.
- One non-permanent seat will be allocated to Member States of the Latin American and Caribbean Group.

5. Twenty-six Members — of the 11 new seats:

- Two [extended or permanent] seats will be allocated to Member States of the African Group.
- Two [extended or permanent] seats will be allocated to Member States of the Asian Group.
- One [extended or permanent] seat will be allocated to Member States of the Latin American and Caribbean Group.
- One [extended or permanent] seat will be allocated to Member States of the Western European and Others Group.
- Two non-permanent seats will be allocated to Member States of the African Group.
- One non-permanent seat will be allocated to Member States of the Eastern European Group.
- One non-permanent seat will be allocated to Member States of the Asian Group.

- One non-permanent seat will be allocated to Member States of the Latin American and Caribbean Group.

Evidently, Member States may wish consider an expansion of the Security Council that would add up to less than 22 members (no Member State or regional group has proposed a larger number than 26), taking into consideration factors such as work effectiveness and representation as well as the elements listed in article 23, paragraph 1, of the Charter of the United Nations.

United Nations A/AC.247/2008/L.1/Rev.2

General Assembly

Distr.: Limited
11 September 2008

Original: English

Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council

Draft report submitted by the Chairperson

I. Introduction

1. By its resolution 48/26, the General Assembly decided to establish an open-ended working group to consider all aspects of the question of increase in the membership of the Security Council and other matters related to the Council.

2. The Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council began its deliberations in January 1994. The Working Group submitted progress reports to the General Assembly at its forty-eighth to sixty-first sessions. At those sessions, the Assembly extended the mandate of the Working Group.

3. On 23 November 1998, the General Assembly adopted resolution 53/30 in connection with the agenda item of the Working Group entitled "Majority required for taking decisions on Security Council reform".

4. In the United Nations Millennium Declaration, Heads of State and Government resolved, with respect to the ongoing deliberations on Security Council reform, to intensify their efforts to achieve comprehensive reform of the Council in all its aspects (see General Assembly resolution 55/2, para. 30).

5. In the 2005 World Summit Outcome of 16 September 2005, Heads of State and Government expressed support for early reform of the Security Council and recommended that the Council continue to adapt its working methods (see General Assembly resolution 60/1, paras. 153 and 154).

6. Following the deliberations of the Working Group, the General Assembly, by its decision 61/561, decided that it should continue its work and should submit a report to the Assembly before the end of its sixty-second session, including any agreed recommendations. The Assembly also decided to consider the issue of Security Council reform, including through intergovernmental negotiations. The present report is submitted pursuant to decision 61/561.

08-50453 (E) 120908

II. Sixty-second session of the General Assembly

7. During the general debate of the General Assembly at its sixty-second session, held from 25 September to 3 October 2007, many Heads of State and Government and other high-level representatives of Member States expressed the views of their Governments on the reform of the Security Council.

8. Member States also expressed their views on the reform of the Council when the General Assembly discussed the item entitled "Question of equitable representation on and increase in the membership of the Security Council and related matters" (agenda item 122) from 12 to 14 November 2007 (see A/62/PV.47-51). Member States expressed their views on various options to bring the process forward and also encouraged the President of the General Assembly to take leadership in this regard. In his concluding remarks on the item, the President presented seven principles to serve as guiding principles for the advancement of the process of Security Council reform (A/62/PV.51).

III. Proceedings of the Open-ended Working Group during the sixty-second session of the General Assembly

A. Organizational matters

9. The President of the General Assembly, Srgjan Kerim, served as Chairperson of the Open-ended Working Group.

10. On 14 December 2007, the Chairperson appointed Ambassador Ismat Jahan (Bangladesh), Ambassador Heraldo Muñoz (Chile) and Ambassador João M. Guerra Salgueiro (Portugal), as members of the task force established by him, to interact with all Member States and to report back to him on the outcome of their consultations.

11. On 10 April 2008, the Chairperson also appointed Ambassador Roble Olhaye (Djibouti) as a member of the task force.

B. Meetings, informal meetings and consultations of the Working Group

12. In his letter dated 6 December 2007, the President of the General Assembly invited Member States to focus their interventions on identifying concrete elements of negotiables that could form the basis for intergovernmental negotiations, having in mind in particular the report of the Open-ended Working Group to the Assembly at its sixty-first session[1] and the positions and proposals of Member States.

13. At its 1st and 2nd meetings, on 14 December 2007, the Chairperson announced the appointment of the task force. Pursuant to those meetings, Member States were invited to identify negotiables that could serve as a basis for intergovernmental negotiations.

---

[1] *Official Records of the General Assembly, Sixty-first Session, Supplement No. 47* (A/61/47).

14. In his letter dated 3 April 2008, the Chairperson of the Open-ended Working Group forwarded to Member States the replies he had received in writing, reflecting various elements of the negotiables as well as views on the process and the way forward from delegations, as well as regional and interest groups: the Group of African States, the Organization of the Islamic Conference, the Overarching Group and Uniting for Consensus.[2]

15. At its 3rd and 4th meetings, on 10 April 2008, Member States discussed various elements contained in the written contributions, reaffirmed the leadership of the Chairperson acting together with the task force. The Chairperson announced that under his leadership the task force would engage in extensive consultations with Member States in order to assess the current situation and to identify options in order to move forward with the reform of the Security Council.

16. The task force consulted extensively in an objective, transparent and all-inclusive manner with all Member States in various formats, through their regional groups, interest groups or individually, from the end of April to the beginning of June 2008. As a result of those consultations, on 9 June 2008 the task force submitted to the Chairperson a report entitled "Report of the Vice Chairpersons to the President of the General Assembly on the question of equitable representation on and increase in the membership of the Security Council".

17. In his letter dated 11 June 2008, the Chairperson of the Open-ended Working Group forwarded the above report to Member States (see annex).

18. In his letter dated 13 June 2008, the Chairperson of the Open-ended Working Group forwarded the letter of the Chairperson of the League of Arab States containing a request for its position to be considered on an equal footing with the other written inputs provided so far, as well as the original positions concerning the issue of the Security Council reform.[2]

19. At its 5th and 6th meetings, on 17 June 2008, Member States discussed the report. In his concluding remarks, the Chairperson called on Member States to cooperate closely in order to bring about an agreement on the adoption of a decision to move the process forward to the stage of commencing intergovernmental negotiations.

20. At its 7th and 8th meetings, on 2 September 2008, the Working Group considered its draft report to the General Assembly (A/AC.247/2008/L.1), submitted by the Chairperson. In his concluding remarks, the Chairperson invited Member States which put forward amendments to conduct intensive and constructive consultations with the members of the task force in order to reach an agreement on the recommendations.

21. At its 9th and 10th meetings, on 10 September 2008, the Working Group considered its draft report to the General Assembly (A/AC.247/2008/L.1/Rev.1), submitted by the Chairperson.

[2] To be issued as an addendum to the present report.

C. Adoption of the report of the Working Group

22. At its 11th meeting, on 12 September 2008, the Working Group considered and adopted the present report.

IV. Recommendations

23. The Open-ended Working Group decided to recommend that consideration of the item be continued at the sixty-third session of the General Assembly. The Working Group, recalling Assembly decision 61/561 and the progress made during the sixty-first and sixty-second sessions, recommends to the Assembly the adoption of the following draft decision:

"The General Assembly, recalling its previous resolutions and decisions relevant to the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council,

"Mindful of Chapter XVIII of the Charter of the United Nations and of the importance of reaching general agreement as referred to in its resolutions 48/26 of 3 December 1993 and 53/30 of 1 December 1998 and in its decision 61/561 of 17 September 2007 on the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Council, as well as the ratification process of any amendment to the Charter as stipulated in its Article 108,

"Taking note of the seven principles presented by the President of the General Assembly to serve as guiding principles for the advancement of the Security Council reform,[1]

"(a) Takes note of the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council on its work during the sixty-second session of the General Assembly;[2]

"(b) Notes with appreciation the Chairperson's initiative and efforts in the process of a comprehensive reform of the Security Council, as well as the work done by the Vice-Chairpersons;

"(c) Decides, building on the progress achieved thus far, in particular during its sixty-first and sixty-second sessions, as well as the positions of and proposals made by Member States to continue immediately to address, within the Open-ended Working Group, the framework, modalities and negotiables of intergovernmental negotiations on the question of equitable representation and increase in the membership of the Security Council and other matters related to the Council;

---

[1] See A/62/PV.51.

[2] To be issued as *Official Records of the General Assembly, Sixty-second Session, Supplement No. 47* (A/62/47).

"(d) Also decides, building on the progress achieved thus far, in particular during its sixty-first and sixty-second sessions, as well as the positions of and proposals made by Member States, to commence intergovernmental negotiations in informal plenary of the General Assembly during the sixty-third session of the General Assembly, but not later than March 2009, based on proposals by Member States, in good faith, with mutual respect and in an open, inclusive and transparent manner, on the question of equitable representation and increase in the membership of the Security Council and other matters related to the Council, seeking a solution that can garner the widest possible political acceptance by the membership;

"(e) Further decides that the following form the basis for the intergovernmental negotiations:

(i) *The positions and proposals of Member States, regional groups and other Member States groupings*;

(ii) *The five key issues*: categories of membership, the question of the veto, regional representation, size of an enlarged Council and working methods of the Security Council, and the relationship between the Council and the General Assembly;

(iii) *The following documents*: report of the Open-ended Working Group on its work during the sixty-first session of the General Assembly;[3] General Assembly decision 61/561 and the report of the Open-ended Working Group on its work during the sixty-second session of the General Assembly;[2]

"(f) Decides that the Open-ended Working Group, to that end, should continue to exert efforts during the sixty-third session of the General Assembly aimed at achieving general agreement among Member States in the consideration of all issues relevant to the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Council, taking into account the progress achieved from the forty-eighth to sixty-second sessions of the Assembly;

"(g) Also decides that the Open-ended Working Group should submit a report to the General Assembly before the end of its sixty-third session, including any agreed recommendations."

---

[3] *Official Records of the General Assembly, Sixty-first Session, Supplement No. 47* (A/61/47).

Annex

Letter dated 11 June 2008 from the President of the General Assembly to all Permanent Missions and Permanent Observer Missions to the United Nations forwarding the report of the Vice-Chairpersons to the President of the General Assembly on the question of equitable representation on and increase in the membership of the Security Council

Please find enclosed the document entitled "Report of the Vice-Chairpersons to the President of the General Assembly on the Question of Equitable Representation on and Increase in the Membership of the Security Council", which was submitted to me on 9 June 2008.

I wish to take the opportunity to thank the four Vice-Chairpersons for their extensive consultations with Member States and for outlining the current situation and the options to move forward with the reform of the Security Council.

I would also like to inform you that I will convene the third session of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council on Tuesday, 17 June 2008, at 10 a.m. and 3 p.m., in the Economic and Social Council Chamber. I would appreciate hearing your comments and discussing next steps on Security Council reform.

(*Signed*) Srgjan **Kerim**

Report of the Vice-Chairpersons to the President of the General Assembly on the question of equitable representation on and increase in the membership of the Security Council

I. Introduction

1. Since the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters held its last session, in April 2008, the four Vice-Chairpersons of the task force designated by the President of the General Assembly have consulted extensively with the membership. The purpose was to reach out to all Member States, through their regional groups, major interest groups or individually, and to listen to their recommendations on how to move forward at this stage of the process of Security Council reform.

2. Many Member States have reaffirmed their original positions, while some have evolved or refined their stands, including through public statements at the highest political levels (see sect. III below). All have expressed their disposition to enter into intergovernmental negotiations, some expressing the view that their preferred positions could lead to compromise options, but as an outcome of the eventual negotiations.

3. In general terms, there continues to be a common understanding that the Security Council in its current composition does not reflect international reality and thus needs to be adequately rebalanced. The status quo with regard to the composition of the Security Council is at present judged to be unrealistic. Both the expansion of the Council and the reform of its working methods are seen as important to the wide membership of the Organization. In addition, reform of the Council is considered to be an integral part of the overall United Nations reform process.

II. Framework and modalities

4. Numerous Member States have expressed their desire to clarify the framework and the modalities that would guide the eventual process of intergovernmental negotiations; that is, there is a demand by some to clarify the rules of the eventual negotiations.

5. In accordance with General Assembly resolution 48/26, the Open-ended Working Group is the forum for the consideration of all issues pertaining to Security Council reform, including the identification of the negotiables in order to move forward to intergovernmental negotiations. In its decision 61/561, the Assembly urged the Working Group to exert efforts during the sixty-second session "aimed at achieving general agreement among Member States in the consideration of all issues relevant to the question" of Security Council reform. Whether "general agreement" on this matter is achieved or not, the General Assembly, being a sovereign body, may decide at some point to shift the consideration of the reform process to the plenary meetings of the Assembly. It is understood that any decision on Security Council reform should be taken by the Assembly.

6. As far as the modalities are concerned, Member States have insisted upon and agreed that consultations and eventual intergovernmental negotiations should be conducted in an open, transparent and inclusive manner. Such an approach may take the form of further sessions of the Open-ended Working Group, consultations with regional groups and major interest groups and in other informal settings on the understanding that any decision on the matter must involve the entire membership of the General Assembly.

7. The seven principles or pillars proposed by the President of the General Assembly, and widely accepted by Member States, also constitute an integral part of the framework and modalities. While understanding that the seven pillars constitute an integrated whole, for procedural purposes, principles three and four, which state, respectively, that "the way forward ought to be accomplished through an objective and transparent process to first identify the negotiables in order to then move to the intergovernmental negotiations", and that "the Open-ended Working Group should carry out consultations on the framework and the modalities for intergovernmental negotiations", should be recalled. The present paper seeks to advance decisively in this sense.

III. The present state of play

8. After intense rounds of consultations, the task force has concluded that none of the written contributions offered thus far have gathered sufficient support as a basis for launching intergovernmental negotiations. Despite the apparent progress perceived in the reports of the facilitators to the sixty-first session of the General Assembly (A/61/47, annexes I and II), it should be recalled that the Assembly, in paragraph (d) of its decision 61/561, adopted by consensus, stated that "further concrete results may be achieved, including through intergovernmental negotiations, building on the progress achieved so far, particularly at the sixty-first session, as well as the positions of and proposals made by Member States". Positions among major interest groups have not moved significantly, despite stated expressions of disposition to act with flexibility and a general recognition that Security Council reform would necessarily require compromise.

A. Original positions

9. The following options, in summary format, have been presented by regional groups and major interest groups.

African Group (A/60/L.41)

10. Enlarge the Security Council in both the permanent and non-permanent categories and improve its working methods. Grant Africa two permanent seats, including the right of veto, and five non-permanent seats, thus increasing Security Council membership from 15 to 26, with the 11 additional seats to be distributed as follows: (a) two permanent seats and two non-permanent seats for African States; (b) two permanent seats and one non-permanent seat for Asian States; (c) one non-permanent seat for Eastern European States; (d) one permanent seat and one non-permanent seat for Latin American and Caribbean States; and (e) one permanent seat for Western European and other States.

Group of Four (A/59/L.64)

11. Increase the membership of the Security Council from 15 to 25 by adding six permanent and four non-permanent members and improve the working methods of the Security Council. The six new permanent members of the Council shall be elected according to the following pattern: (a) two from African States; (b) two from Asian States; (c) one from Latin American and the Caribbean States; (d) one from Western European and Other States.

12. The four new non-permanent members of the Security Council would be elected according to the following pattern: (a) one from African States; (b) one from Asian States; (c) one from Eastern European States; (d) one from Latin American and Caribbean States. The new permanent members would not exercise the right of veto until the question of the extension of the right of veto to new permanent members has been decided upon the framework of a review conference.

Uniting for consensus (A/59/L.68)

13. The Security Council would be expanded to 25 members, including the present five permanent members of the Security Council. The 20 non-permanent members of the Security Council would be elected according to the following pattern: (a) six from African States; (b) five from Asian States; (c) four from Latin American and Caribbean States; (d) three from Western European and other States; (e) two from Eastern European States.

14. Each of the five existing geographical groups, as identified above, would decide on arrangements among its members for immediate re-election or rotation of its members on the seats allotted to the Group; those arrangements would also address, as appropriate, a fair subregional representation and would also improve the working methods of the Council.

Small Five States (A/60/L.49)

15. Focused on working methods of the Security Council, this proposal invites the Council to consider the following measures to further enhance the accountability, transparency and inclusiveness of its work, with a view to strengthening its legitimacy and effectiveness:

(a) More substantive exchanges of views among Security Council, the General Assembly and the Economic and Social Council;

(b) The Security Council should explore ways to assess the extent to which its decisions have been implemented;

(c) The subsidiary bodies of the Security Council should include in their work, on a case-by-case basis, non-members with strong interest and relevant expertise;

(d) A permanent member of the Security Council using its veto should explain the reason for doing so;

(e) The Security Council should ensure that all Member States are fully and promptly informed of all developments regarding its missions;

(f) In order to facilitate the integration of newly elected members of the Security Council, the Secretariat should prepare and disseminate a detailed briefing packet on the procedures, practices and work of the Council.

Transitional approach

16. Under the present state of affairs, Member States, while retaining their initial positions, may wish to explore new and emerging ideas concerning a transitional approach to Security Council reform. A transitional approach assumes an intermediary arrangement and should have as an integral component a mandatory review to take place at a predetermined date. Within the transitional approach there are different options and variations that Member States could further explore.

17. As regards categories, the transitional approach, without prejudice to the prospect of creating new permanent seats, could explore the creation of new non-permanent seats as well as an intermediate category. Member States may wish to consider, inter alia, the following variations of an intermediate category:

(a) Extended seats that could be allocated for the full duration of the intermediary arrangement, including the possibility of recall;

(b) Extended seats, which would be for a longer period than the regular two-year term, but with the possibility of re-election. The length of the terms as well as the re-election modalities should be decided in negotiations;

(c) Extended seats, which would be for a longer period than the regular two-year term, but without the possibility of re-election. The length of the term should be decided in negotiations;

(d) Non-permanent two-year seats with the possibility of immediate re-election.

B. New inputs and reaffirmed views

Uniting for consensus
(5 March 2008)

- Uniting for consensus welcomes the seven principles of the President of the General Assembly and "well-considered efforts to launch an effective 'joint venture' of all Member States in order to advance the process aiming at a Security Council reform".
- It proposes to "reach general agreement on an 'intermediate' solution to Security Council reform on the basis of the variations outlined in paragraph 9 of the report of the five facilitators at the sixty-first session of the General Assembly, and encompassing both the enlargement and working methods of the Council, without prejudice to the declared positions of all States/Groups".
- For the next steps: identify "negotiables" and elaborate a paper to serve as a basis for intergovernmental negotiations.

African Group
(Letter by the Chairman, 20 March 2008)

- Supports the efforts of the President of the General Assembly within the context of the Open-ended Working Group and welcomes the seven principles laid out by the President.
- Following the decision of the Assembly of the African Union (31 January-2 February 2008) Permanent Representatives in New York have been directed "to participate in the intergovernmental negotiations on the basis of Ezulwini Consensus and Sirte Declaration".
- Continued readiness to work and cooperate with the President of the General Assembly, addressing both the framework and modalities, which "could lead to intergovernmental negotiations that take into account the positions and aspirations of various stakeholders and lead to the widest possible agreement".

Organization of the Islamic Conference
(Final communiqué of the Eleventh Session of the Islamic Summit Conference, 13-14 March 2008)

- The Conference reaffirmed its decision that any reform proposal which neglects the adequate representation of the Muslim Ummah in any category of membership in an expanded United Nations Security Council will not be acceptable to the Muslim world.
- The Conference requested the open-ended contact group of the Organization of the Islamic Conference on United Nations reform and expansion of the Security Council at the United Nations Headquarters in New York to continue to closely coordinate the positions of its Member States in order to promote the comprehensive reform of the Security Council and ensure the equitable representation of those countries in any categories of the enlarged Security Council in proportion to their membership of the United Nations.
- The efforts at restructuring the Security Council should not be subjected to any artificial deadline and a decision on this issue should be made by consensus.

Draft presented by the Permanent Representative of Cyprus
(20 March 2008)

- Aims at giving a sense of direction for the future, on the basis of the reports of the facilitators and other progress achieved during the sixty-first session of the General Assembly.
- "While the legitimate positions officially tabled in 2005 are retained by their proponents, their lack of potential realization at this juncture has pointed to an apparent willingness to negotiate on the basis of achieving intermediate reform through the identification of the highest common denominator at this stage."
- For the purpose of achieving such intermediate reform, the scope of the negotiations would be narrower, focusing on points of convergence in the short-term rather than divisive elements.
- The Security Council shall be enlarged to [22] members with different options of distribution of seats and categories.

- "The election of Member States in all new seats will be subject to regular election procedures by two-thirds majority at the General Assembly in accordance with Article 18 of the Charter of the United Nations."
- "Reform should include mandatory review after a fixed period of time, the exact duration of which must be determined before the reform comes into force and will form an integral part of the reform package."
- In addition to the enlargement, the General Assembly could simultaneously recommend concrete improvements of Security Council working methods, including those contained in document S/2006/507.

Joint Summit declaration of the United Kingdom of Great Britain and Northern Ireland and France
(27 March 2008)

- The United Kingdom of Great Britain and Northern Ireland and France will act to reform the United Nations Security Council, which has primary responsibility for maintenance of international peace and security. In the same spirit of adapting institutions to the new realities of the world, the Security Council should be reformed to ensure that it better represents the world of today, while remaining capable to taking the effective action necessary to confront today's security challenges.
- Reform of the Security Council, both its enlargement and the improvement of its working methods, must therefore succeed. Reaffirm the support for the candidacies of Germany, Brazil, India and Japan for permanent membership, as well as for permanent representation for Africa on the Council.
- The United Kingdom and France regret that negotiations towards this goal remain in deadlock and are therefore ready to consider an intermediate solution. This could include a new category of seats, with a longer term than those of elected members and those terms would be renewable at the end of an initial phase, it could be decided to turn these new types of seats into permanent ones.
- The United Kingdom and France will work with all their partners to define parameters of such a reform.
- Security Council reform requires a political commitment from the Member States at the highest level. The United Kingdom and France will work in this direction in the coming months with a view to achieving effective reform.

Other perspectives of the permanent five members

18. Despite a diversity of views among permanent-five member States regarding Security Council reform, there are some common elements that have been repeated to the task force or that have been expressed by high-level officials of their respective Governments.

19. All five permanent members have stated that the formula for increased membership of the Security Council should be based on a wide agreement and should not be divisive. China stresses the notion that any reform on the Council must be based on a "serious compromise". Likewise, the President of the Russian Federation, Dmitry Medvedev, stated recently: "The United Nations Security

Council needs to be reformed on the basis of broad consensus between the United Nations member countries. We value Germany's commitment to looking for compromise solutions in this respect that would not cause division within the organization" (Berlin, 5 June 2008). In the view of the United States, "no significant portion of the membership [should be] alienated by the result of [Security Council reform]" (statement by the United States Deputy Permanent Representative, Open-ended Working Group, 10 April 2008). Several members of the permanent five believe that the Open-ended Working Group is the appropriate forum to discuss the topics related to Security Council reform.

20. China supports greater participation by small and developing countries in an enlarged Security Council. Some permanent members have insisted that Security Council expansion must be realistic or "modest" as regards size. According to the United States, "only a modest expansion will ensure the Council's continued effectiveness" (10 April 2008). Some permanent members have underlined the importance of the qualifications contained in Article 23, paragraph 1, of the Charter of the United Nations for countries wishing to become members of the Council. The United States believes that "candidates for the longer-duration, whether intermediate seats or permanent members, must demonstrate a higher level of global leadership"; at the same time, it has insisted that any reform of the Council must be accompanied by increased effectiveness of the entire United Nations system.

21. Some permanent members feel strongly that working methods of the Security Council is a matter that should be addressed by the Council itself, as a principal organ of the United Nations, and permanent members have reaffirmed their opposition to any Security Council reform that would "tamper" with the veto right of the permanent members of the Council.

IV. No reform option

22. It should be recalled that deliberations aiming to reform the Security Council began in January 1994 and that, although the Working Group has made progress, particularly during its sixty-first session, positions as summarized above remain far apart. Moreover, a sense of frustration surrounds the negotiations at present stage.

23. We could eventually conclude, therefore, that there is simply not sufficient common ground to move the process forward towards fruitful intergovernmental negotiations. Member States should keep in mind that the present deadlock could culminate, in practical terms, in an indefinite postponement of the Security Council reform effort (even though the Open-ended Working Group might continue to meet).

24. Moving the process forward would require political willingness to compromise by engaging in intergovernmental negotiations based on sufficient elements to seek an agreed solution as the outcome.

V. Shifting the paradigm

25. Recent consultations have shown that the main source of disagreement has centred on the category of seats. There are a number of Member States, as described above, which assert that an expanded Security Council should include new permanent members, accompanied by new non-permanent members, while others

argue that the Council should be expanded solely through new non-permanent seats, eventually renewable.

26. Such a polarized discussion led, during the facilitation process in the sixty-first session of the General Assembly, to the suggestion that Member States might wish to consider a transitional or intermediary approach, including the creation of extended seats of various durations as a compromise option. However, many Member States have argued that such option could be the eventual outcome of an intergovernmental negotiation.

27. Instead of continuing along this track, Member States may wish to approach eventual negotiations from a timeline perspective; that is, to identify what may be achievable in the short term, during the remaining part of the sixty-second session, or during the sixty-third session, and what would be left could be revisited in a number of years through a mandatory review (in 10, 12 or 15 years, for example). Hence, no preferred position would be excluded a priori, no Member State or group would be obliged to forgo its position from the outset, but, with a sense of compromise, an effort would be made to negotiate reform that would be achievable at the earliest possible date. That solution would keep avenues open to all preferred options to be reconsidered at an agreed moment in the future.

28. Thus, Member States may wish to address which of the negotiables, basically the five key issues: categories of membership, the question of the veto, the question of regional representation, the size of an enlarged Council, and the working methods of the Security Council and the relationship between the Council and the General Assembly, may be fully or partially resolved in a short timespan or may have to be postponed for the mandatory review. For example, if an impasse should arise on the delicate question of the extension of veto in the short-term negotiations, it would be reasonable to refer it to the review. A meaningful review would seem to require an intervening period of between 10 to 15 years to allow for ratification and evaluation. At that time, the membership should be able to evaluate the Council's performance against the backdrop of structural trends in peace and security. The single defining characteristic of the timeline approach is the scheduling of a mandatory review, where the achievable arrangement would be evaluated and could be reshaped into a more permanent one, in the light of past experience.

VI. Towards intergovernmental negotiations

29. Security Council reform is at a crossroads. In order to move forward, compromise is needed — and the clock is running. The present report has outlined the negotiables and options that Member States may wish to consider with a view to intergovernmental negotiations.

30. We are convinced that a "big bang", an all-encompassing solution, is not possible, and that only a realistic approach that allows agreement on what is achievable in the near term, without excluding any preferred option to be revisited at an agreed time through a mandatory review, is the way to move forward.

31. It should be noticed that despite differences, Member States agree on a number of issues. For example, all Member States and interest groups have favoured an improvement in the working methods of the Security Council (if Member States were to agree on the launching of intergovernmental negotiations, they could use as

a basis the working methods section of the report of the facilitators of 19 April 2007). Member States also seem to agree that Security Council expansion should contemplate additional non-permanent seats, in accordance with Article 23, paragraph 2, of the Charter, in particular to accommodate the needs of small States (while it has also been suggested, through the Forum of Small States, that a provision should be considered which would prevent countries from presenting candidatures for both the new category, assuming a transitional approach, and the existing non-permanent category at the same time or in short intervals). Lastly, in order to contribute to moving the process forward, in the following appendix we have listed specific options on the category of seats, as well as their distribution, and the size of an enlarged Council, which Member States may want to consider.

Appendix

Since differences remain on the category of seats and the size of an expanded Security Council, Member States may wish to consider the following options:

1. Twenty-two Members — of the seven new seats:

   - Two [extended or permanent] seats will be allocated to Member States of the African Group.
   - Two [extended or permanent] seats will be allocated to Member States of the Asian Group.
   - One [extended or permanent] seat will be allocated to Member States of the Latin American and Caribbean Group.
   - One [extended or permanent] seat will be allocated to Member States of the Western European and Others Group, and
   - One non-permanent seat will be allocated to member States of the Eastern European Group [and, on a rotating basis, to the Latin American and Caribbean Group].

2. Twenty-three Members — of the eight new seats:

   - Two [extended or permanent] seats will be allocated to Member States of the African Group.
   - Two [extended or permanent] seats will be allocated to Member States of the Asian Group.
   - One [extended or permanent] seat will be allocated to Member States of the Latin American and Caribbean Group.
   - One [extended or permanent] seat will be allocated to Member States of the Western European and Others Group.
   - One non-permanent seat will be allocated to Member States of the Eastern European Group [and, on a rotating basis, to the Latin American and Caribbean Group].
   - One non-permanent seat will be allocated to Member States of the African Group.

3. Twenty-four Members — of the nine new seats:

   - Two [extended or permanent] seats will be allocated to Member States of the African Group.
   - Two [extended or permanent] seats will be allocated to Member States of the Asian Group.
   - One [extended or permanent] seat will be allocated to Member States of the Latin American and Caribbean Group.
   - One [extended or permanent] seat will be allocated to Member States of the Western European and Others Group.

- One non-permanent seat will be allocated to Member States of the Eastern European Group [and, on a rotating basis, to the Latin American and Caribbean Group].
- One non-permanent seat will be allocated to Member States of the African Group.
- One non-permanent seat will be allocated to Member States of the Asian Group.

4. Twenty-five Members — of the 10 new seats:

- Two [extended or permanent] seats will be allocated to Member States of the African Group.
- Two [extended or permanent] seats will be allocated to Member States of the Asian Group.
- One [extended or permanent] seat will be allocated to Member States of the Latin American and Caribbean Group.
- One [extended or permanent] seat will be allocated to Member States of the Western European and Others Group.
- One non-permanent seat will be allocated to Member States of the Eastern European Group.
- One non-permanent seat will be allocated to Member States of the African Group.
- One non-permanent seat will be allocated to Member States of the Asian Group.
- One non-permanent seat will be allocated to Member States of the Latin American and Caribbean Group.

5. Twenty-six Members — of the 11 new seats:

- Two [extended or permanent] seats will be allocated to Member States of the African Group.
- Two [extended or permanent] seats will be allocated to Member States of the Asian Group.
- One [extended or permanent] seat will be allocated to Member States of the Latin American and Caribbean Group.
- One [extended or permanent] seat will be allocated to Member States of the Western European and Others Group.
- Two non-permanent seats will be allocated to Member States of the African Group.
- One non-permanent seat will be allocated to Member States of the Eastern European Group.
- One non-permanent seat will be allocated to Member States of the Asian Group.

- One non-permanent seat will be allocated to Member States of the Latin American and Caribbean Group.

Evidently, Member States may wish consider an expansion of the Security Council that would add up to less than 22 members (no Member State or regional group has proposed a larger number than 26), taking into consideration factors such as work effectiveness and representation as well as the elements listed in article 23, paragraph 1, of the Charter of the United Nations.